



~ Agenda ~

Regular Town Board Meeting of May 26, 2015 Southampton, New York

I. Call to Order

6:00 PM Meeting called to order on May 26, 2015 at Town Hall - Town Board Room, 116 Hampton Road, Southampton, NY.

Attendee Name	Present	Absent	Late	Arrived
Supervisor Anna Throne-Holst	
Councilman Bradley Bender	
Councilwoman Christine Preston Scalera	
Councilwoman Bridget Fleming	
Councilman Stan Glinka	

II. Minutes Approval

1. Special Town Board Meeting May 5, 2015 6:00 PM
2. Regular Town Board Meeting May 12, 2015 1:00 PM

III. Communications

A. Public Notices

1. New York State Department of Environmental Conservation

Recission of Emergency Designation of Shellfish Lands as Uncertified for the Harvest of Shellfish in the Town of Southampton (Effective at Sunrise on 5/22/15)

2. Suffolk County Planning Commission

Letter of Local Determination for the following:

1. Public Scoping Session, "The Hills at Southampton MUPDD"
2. Positive Declaration for SEQRA, "The Hills at Southampton MUPDD"
3. Historic Landmark Designation of "17 Huntington Lane, Flanders"
4. Historic Landmark Designation of the "Tupper Boat House, North Sea"

Suffolk County Shellfish Aquaculture Lease Board Meeting Dates:

1. Tuesday, June 9, 2015 at 3:00 p.m.
2. Thursday, June 25, 2015 at 3:00 p.m.

3. Central Pine Barrens Joint Planning & Policy Commission

Letter dated May 11, 2015 regarding the Draft Scope for the DEIS for The Hills at Southampton MUPDD

4. Town of East Hampton

Notice of Public Hearing, "Community Preservation Plan - King"
Notice of Public Hearing, "Community Preservation Plan - Miller"
Notice of Public Hearing, "Community Preservation Plan - Quigley"
Notice of Public Hearing, Chap 240 "Prohibit Parking Oak View Highway"
Notice of Public Hearing, Chap 255 "Uses Prohibited in Single-Family Residences"
Notice of Public Hearing, Chap 91 "Beaches and Parks"

5. Town of Riverhead

Notice of Adoption, Chapter 113 "Hunting"

6. Town Fire Districts

East Quogue Fire District:
Notice to Bidders for One Fiberglass Slide Fire Police Utility Body

7. Town School Districts

Quogue Union Free School District:
Vote Tally - May 19, 2015

8. Village of North Haven

Notice of Public Hearing, "Override of GML §3-c Tax Levy Limit"
Notice of Public Hearing, Chap 163 "Swimming Pools"
Notice of Public Hearing, New Chapter "Best Value Contract Award Law"

9. Village of Quogue

Letter dated 5/19/15 regarding renewal of the Inter-Municipal Agreement for facilities located at 172 Dune Road, Quogue

10. Financial Disclosure Statements

D. Bullock; H. Burgess; E. Burke, Sr.; M. Charrier; M. Conrad; K. Cowell; D. Finnerty; V. Fishburne; A. Fullam; K. Garvin; A. Gregor; A. Grossman; S. Horowitz; T. Kerr; D. Kooperstein; J. Lofaro; K. Murray; T. Neely; G. Skidmore; B. Wilson; F. Zappone

11. Liquor License Renewals / Applications

La Nuova Campannina Hamptons LLC, Water Mill

12. Letters / Petitions / Land Use Applications

Letters and E-mails regarding the following:

1. The Hills at Southampton MUPDD, East Quogue
2. Tuckahoe Center

Planning Board Applications:

1. True Art Ironworks, 365 Flanders Road, Flanders
2. 301 Brick Kiln Road, Bridgehampton

Zoning Board of Appeals Applications:

1. 5 Wooleys Drive, Southampton
2. 23 Anchor Street, Flanders
3. 46 West Tiana Road, Hampton Bays
4. 2548 Deerfield Road, Noyac
5. 167 Old Mill Road, Water Mill

B. Reports

1. Leggette, Brashears & Graham, Inc.

Status Report Groundwater Remedial Action Rowe Industries Superfund Site, Sag Harbor
January and February 2015

IV. Public Hearings

1. Public Hearing to Consider the Historic Landmark Designation of 17 Huntington Lane, Flanders

Adjourned 5/12/2015 1:00 PM

U Vote Record - Motion						
.. Adjourned .. Closed			Yes/Aye	No/Nay	Abstain	Absent
	Anna Throne-Holst		..	..	..	..
	Bradley Bender		..	..	..	..
	Christine Preston Scalera		..	..	..	..
	Bridget Fleming		..	..	..	..
	Stan Glinka		..	..	..	..

2. Public Hearing to Authorize a Stop Sign on Cedar Lane, Noyac, at its Intersection with the Noyac Road Access Lane

U Vote Record - Motion						
.. Adjourned .. Closed			Yes/Aye	No/Nay	Abstain	Absent
	Anna Throne-Holst		..	..	..	..
	Bradley Bender		..	..	..	..
	Christine Preston Scalera		..	..	..	..
	Bridget Fleming		..	..	..	..
	Stan Glinka		..	..	..	..

3. Public Hearing to Obtain Comments on the Draft "Southampton Water Protection Plan" Proposed to be Adopted as LWRP

U Vote Record - Motion						
.. Adjourned .. Closed			Yes/Aye	No/Nay	Abstain	Absent
	Anna Throne-Holst		..	..	..	..
	Bradley Bender		..	..	..	..
	Christine Preston Scalera		..	..	..	..
	Bridget Fleming		..	..	..	..
	Stan Glinka		..	..	..	..

V. Public Portion

VI. Town Board Resolutions

Town Board Resolution 2015-551

Category: Personnel
 Sponsors: Supervisor Anna Throne-Holst
 Department: Comptroller

Authorize Salary Increase for Richard Lalomia, Budget Analyst in the Finance Department

WHEREAS, on April 28, 2015 the Town Board of the Town of Southampton adopted Resolution 2015-465 which authorized a cooperative agreement with the Board of Trustees for Comptroller services; and

WHEREAS, it is the recommendation of the Town Comptroller to designate a liaison between the Board of Trustees and the Comptroller's Office and a person to coordinate the development and implementation of the independent financial systems and procedures; now therefore be it

RESOLVED, the Town Board of the Town of Southampton hereby authorizes a salary increase of \$3,500 annually, with a prorated effective date of June 1, 2015 for Richard Lalomia, Budget Analyst in the Town Comptroller's Office; and be it further

RESOLVED, funding is available to transfer in the amount of \$2,215 for the remainder of 2015 from Town Comptroller - Contracts G/L #01-99-1315-01-6400-0000 and the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute.

HISTORY:

05/12/15 Town Board

TABLED

Next: 05/26/15

Financial Impact:

DECREASE Comptroller Contracts G/L #01-99-1315-01-6400-0000 - \$2,215.00

INCREASE Comptroller Salaries G/L #01-99-1315-01-6100-0000 - \$2,050.00

INCREASE Comptroller Benefits G/L Codes to be determined - \$165.00

ü Vote Record - Town Board Resolution RES-2015-551						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-562

Category: Agreements, Contracts, Leases
Sponsors: Throne-Holst, Bender, Fleming, Scalera, Glinka
Department: Central Purchasing and Contracts Compliance

**Authorize the Purchase of Fleet Management Services from NYS Contract with
Automotive Rentals, Inc.**

WHEREAS, certain Town Departments require Fleet Management Services; and

WHEREAS, Automotive Rentals, Inc. (ARI) holds a current New York State contract for Fleet Management Services under Group 72002, Award Number 22752, Contract Number PS66689, this contract remains in effect until February 2, 2018; and

WHEREAS, when goods procured under a valid County or State contract exceed the mandatory bidding threshold for goods (i.e. \$20,000), a resolution authorizing the purchase must be submitted and approved by the Town Board; and

WHEREAS, funding for these fleet management service purchases for the Town of Southampton shall be various G/L accounts in amounts not to exceed individual budgets; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the purchase of fleet management services under the New York State Group 72002, Award Number 22752, Contract Number PS66689, held by Automotive Rentals, Inc. up and until February 2, 2018; be it

FURTHER RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute any and all necessary documents to effectuate these purchases, these documents will be reviewed by Central Purchasing and Contracts Compliance prior to signing.

Financial Impact:

The source of funding shall be various G/L amounts not to exceed available budget.

Ü Vote Record - Town Board Resolution RES-2015-562						
			Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst		..	..	..	..
.. Adopted as Amended	Bradley Bender		..	..	..	..
.. Defeated	Christine Preston Scalera		..	..	..	..
.. Tabled	Bridget Fleming		..	..	..	..
.. Withdrawn	Stan Glinka		..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-563

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Throne-Holst, Councilwoman Scalera
Department: Central Purchasing and Contracts Compliance

**Authorize the Purchase of Seven Ford Utility Police Interceptor from NYS OGS
Contract with Beyer Ford LLC**

WHEREAS, the 2016 Ford Utility Police Interceptor been identified as meeting the vehicle needs of the Town and has been confirmed as being available through an existing State contract; and

WHEREAS, Beyer Ford LLC, holds a current New York State OGS Contract for 2016 Ford Utility Police Interceptor, and using the NYS new mini-bid quote system, Breyer Ford LLC came in with the sole bid for seven (7) 2016 Ford Utility Police Interceptors at a delivered cost of \$35,549.64 per vehicle including after market components and delivery; and

WHEREAS, the Town Police Department is in need of vehicles; and

WHEREAS, the Chief of Police, Director of Municipal Works, the Fleet Manager, and the Purchasing Agent recommends the purchase of seven (7) Ford Utility Police Interceptors; and

WHEREAS, these vehicles are exempt from having to comply with the requirements set forth by "Green" Vehicle Policy under resolution 2011-855; and

WHEREAS, when goods procured from a valid State or County contract exceed the mandatory bidding threshold (ie: \$20,000 goods), a resolution authorizing the purchase must be submitted and approved by the Town Board; now therefore, be it

RESOLVED, based on the recommendation of the Chief of Police, Director of Municipal Works, the Fleet Manager, and the Purchasing Agent, the Town Board of the Town of Southampton hereby authorizes the purchase of seven (7) 2016 Ford Utility Police Interceptors from NY State OGS Group 40451, Award #22898, contract #PC66676 at a delivered cost of \$35,549.64.00 per vehicle, with the cost for seven (7) vehicles not to exceed 248,847.47; be it

FURTHER RESOLVED, the source of funding for this purchase shall be Police Department Vehicles G/L# 02-99-3120-02-6201-0000 in an amount not to exceed \$248,847.47; be it

FURTHER RESOLVED, that the Central Purchasing and Contracts Compliance has verified that this contract is still in effect and that these vehicles are still available with Beyer Ford LLC.

Financial Impact:

The source of funding for this purchase shall be Police Department Vehicles G/L# 02-99-3120-02-6201-0000 in an amount not to exceed \$248,847.47.

Ü Vote Record - Town Board Resolution RES-2015-563						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-564

Category: Agreements, Contracts, Leases
Sponsors: Councilman Bender, Councilwoman Fleming
Department: Central Purchasing and Contracts Compliance

Authorize the Supervisor to Execute a Contract Amendment with Mechanical and Marine Construction, Inc. for Inspection of Existing Marine Piles at the Old Ponquogue Bridge in Hampton Bays

WHEREAS, the Town pursuant to resolution 2015-278 on April 1, 2015, entered into a contract with Mechanical and Marine Construction, Inc. for Inspection of Existing Marine Piles at the Old Ponquogue Bridge in Hampton Bays; and

WHEREAS, resolution 2015-278 contained a scrivener's error in the consultant's name, resolution 2015-278 cited the name as Mechanical Marine Consulting, Inc., which should be amended to reflect Mechanical and Marine Construction, Inc.; and

WHEREAS, additional monies are necessary under this contract to bring this inspection to a close; and

WHEREAS, an additional amount of \$6,500 will cover the services not covered by the first contract; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute an amendment to the contract to reflect the correct name and to increase the contract by \$6,500 for additional services procured; be it

FURTHER RESOLVED, that this amendment will be prepared by Contracts Compliance and per the Town's Comptroller, no purchase order shall be created and no payment shall be made without a fully executed agreement; be it

FURTHER RESOLVED, that the source of funding for this contract shall be Capital Project Ponquogue Bridge G/L #C1-99-C617-00-6212-0000 in the amount of \$6,500 for a total amount not to exceed \$41,500.

Financial Impact:

The source of funding for this contract shall be Capital Project Ponquogue Bridge G/L #C1-99-C617-00-6212-0000 in the amount of \$6,500 for a total amount not to exceed \$41,500.

Ü Vote Record - Town Board Resolution RES-2015-564						
			Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst		..	..	..	..
.. Adopted as Amended	Bradley Bender		..	..	..	..
.. Defeated	Christine Preston Scalera		..	..	..	..
.. Tabled	Bridget Fleming		..	..	..	..
.. Withdrawn	Stan Glinka		..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-565

Category: Agreements, Contracts, Leases
Sponsors: Supervisor Anna Throne-Holst
Department: Central Purchasing and Contracts Compliance

Authorize the Supervisor to Execute a Contract Amendment with Nelson Pope & Voorhis, LLC for Professional Services in Connection with Stormwater Leaching Pool Remediation at 33 West Tiana Road in Hampton Bays

WHEREAS, pursuant to 2014-1368, the Town of Southampton authorized a contract for Nelson Pope & Voorhis, LLC for Professional Services in Connection with Stormwater Leaching Pool Remediation at 33 West Tiana Road in Hampton Bays; and

WHEREAS, due to circumstances beyond the Community Preservation Department's control the expenses have exceeded the original amount; and

WHEREAS, the contract needs to be increased by \$950.00 to cover professional services not originally included in the contract; now therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a contract amendment with Nelson Pope & Voorhis, LLC for Professional Services in Connection with Stormwater Leaching Pool Remediation at 33 West Tiana Road in Hampton Bays to increase the contract by \$950.00, the total contract amount, including this amendment shall not exceed \$6,150.00; and be it

FURTHER RESOLVED, that this amendment shall be prepared by Central Purchasing and Contracts Compliance and per the Town Comptroller, no purchase order shall be created and no payment shall be made without a fully executed agreement. The source of funding shall be Community Preservation - Land Purchase G/L #31-99-1940-31-6208-0001 in an amount not to exceed \$950.00, making the total amount of this contract an amount not to exceed \$6,150.

Financial Impact:

The source of funding shall be Community Preservation - Land Purchase G/L #31-99-1940-31-6208-0001 in an amount not to exceed \$950.00, making the total amount of this contract an amount not to exceed \$6,150.

Ū Vote Record - Town Board Resolution RES-2015-565						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-566

Category: Agreements, Contracts, Leases
Sponsors: Councilman Bradley Bender
Department: Central Purchasing and Contracts Compliance

**Authorize the Supervisor to Execute a Contract Extension and Amendment with
Essemce Enterprises, Inc. for Renovations at the North Sea Barn**

WHEREAS, pursuant to resolution 2015-70, the Town entered into a contract with Essemce Enterprises, Inc. for Renovations at the North Sea Barn on March 12, 2015; and

WHEREAS, due to the heavy winter the Town experienced, with two snow storms in the beginning of March as well as the need to relocate tanks that were contained on the site, the Town Highway Department had to issue a delay for the work at the North Sea Barn work to commence; and

WHEREAS, in that vein, the Highway Department has sent a memo to Contracts Compliance indicating the reasons for the delay in accordance with paragraph 18 of the Instructions to Bidders; and

WHEREAS, the new date for the work to be completed by shall be no later than ninety (90) days from the date the work commenced, if the work exceeds this amended ninety (90) days, the liquidated damages clause in the original contract shall apply; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute an extension and amendment agreement to extend the original contract for an additional term of ninety (90) days due to the Town issuing a delay; be it

FURTHER RESOLVED, that the term of the contract is hereby amended to reflect a new ninety (90) day clock to commence upon the work beginning and to be completed no later than ninety (90) days thereafter, in the event the vendor exceeds this amended ninety (90) period, liquidated damages shall apply; be it

FURTHER RESOLVED, that this extension and amendment shall be prepared by Contracts Compliance and per the Town Comptroller, no purchase order shall be created and no payment shall be made without a fully executed contract.

Financial Impact:

This is a no cost time extension that has no financial impact.

Ü Vote Record - Town Board Resolution RES-2015-566						
			Yes/Aye	No/Nay	Abstain	Absent
.. Adopted	Anna Throne-Holst		..	..	..	..
.. Adopted as Amended	Bradley Bender		..	..	..	..
.. Defeated	Christine Preston Scalera		..	..	..	..
.. Tabled	Bridget Fleming		..	..	..	..
.. Withdrawn	Stan Glinka		..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-567

Category: Agreements, Contracts, Leases
Sponsors: Councilman Bradley Bender
Department: Central Purchasing and Contracts Compliance

Authorize the Supervisor to Execute a Contract Extension Ed Armus Engineering, PLLC for Improvements to the Highway Department's Salt and Sand Buildings

WHEREAS, on July 31, 2014, the Town of Southampton entered into a contract with Ed Armus Engineering, PLLC. for Improvements to the Highway Department's Salt and Sand Buildings; and

WHEREAS, the contract expired on December 31, 2014, but contains a clause to renew the contract for an additional term of one (1) year, is doing so is in the best interest of the Town; and

WHEREAS, the Highway Department requests that this contract be extended as the work on the building is not yet complete and oversight is necessary; and

WHEREAS, this extension shall be retroactive from December 31, 2014 and shall expire December 31, 2015, the amount of this contract extension shall not exceed \$5,000; now therefore, be it

RESOLVED, that the Town of Southampton hereby authorizes the Supervisor to execute a contract extension with Ed Armus Engineering, PLLC. for Improvements to the Highway Department's Salt and Sand Buildings for a term to be retroactive from December 31, 2014 to December 31, 2015, the cost of this extension shall not exceed \$5,000; and be it

FURTHER RESOLVED, that this contract extension shall be prepared by Contracts Compliance and per the Town Comptroller, no purchase order shall be created and no payment shall be made without a fully executed contract; and be it

FURTHER RESOLVED, that the source of funding for this contract shall be Capital Project Salt Barn Improvements G/L #C6-99-C511-00-6220-0000 in an amount not to exceed \$5,000.

Financial Impact:

The source of funding for this contract shall be Capital Project Salt Barn Improvements G/L #C6-99-C511-00-6220-0000 in an amount not to exceed \$5,000.

Ü Vote Record - Town Board Resolution RES-2015-567						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-568

Category: Agreements, Contracts, Leases
Sponsors: Councilman Stan Glinka
Department: Information Technology

**Authorize the Supervisor to Execute an Agreement to Renew the Town's
Maintenance Agreement with Accela f/k/a IQM2 for MinuteTraq and MediaTraq
and E-Boardroom**

WHEREAS, in May 2009, the Town entered into a maintenance agreement with IQM2 who has since been bought by Accela for maintenance and support of MinuteTraq, MediaTraq and E-Boardroom, systems installed by IQM2 that the Town utilizes for the Town Board agenda and Minute process, as well as Internet Streaming of Town Board meetings; and

WHEREAS, the maintenance agreement for these meeting systems will expire on June 30, 2015 and needs to be renewed to ensure each system functionality; and

WHEREAS, the maintenance agreement also includes extra backup service to prevent loss of information; and

WHEREAS, Accela is the sole source provider for maintenance, as they own the rights to these products and Central Purchasing and Contracts Compliance has received a memo indicating the reasons to support this; and

WHEREAS, the Director of Information Management recommends the signing of a maintenance agreement for MinuteTraq, MediaTraq, and E-Boardroom with Accela f/k/a IQM2 for the term of (1) year commencing July 1, 2015 through June 30, 2016; and

WHEREAS, the Director of Information Management provided a memo to the Central Purchasing and Contracts Compliance dated May 18, 2015, establishing that the vendor Accela is a sole source provider for maintenance and support of MinuteTraq, MediaTraq and E-Boardroom; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a maintenance agreement renewal with Accela for maintenance to MinuteTraq, MediaTraq and E-Boardroom; be it

FURTHER RESOLVED, that this agreement shall be reviewed by Central Purchasing and Contracts Compliance and that the source of this funding for this agreement shall be Information Technology- Contracts G/L #01-99-1680-01-6401-0000 in an amount not to exceed \$15,500.00 and per the Town Comptroller, no purchase order shall be created and no payment shall be made without a fully executed agreement.

Financial Impact:

The source of funding shall be Information Technology - Contracts G/L #01-99-1680-01-6401-0000 in an amount not to exceed \$15,500.00

Ü Vote Record - Town Board Resolution RES-2015-568						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-569

Category: Agreements, Contracts, Leases
Sponsors: Councilman Bradley Bender
Department: Central Purchasing and Contracts Compliance

Award and Authorize Supervisor to Execute a Contract with Suffolk Asphalt Corp. for the 2015 Requirements Contract for Full Depth Reclamation

WHEREAS, on April 14, 2015, by Resolution No. 2015-430, the Town Board of the Town of Southampton authorized the Town Clerk to advertise a bid for the 2015 Requirements Contract for Full Depth Reclamation; and

WHEREAS, three (3) bids were received, opened and read aloud on May 6, 2015; and

WHEREAS, the bids were reviewed by the Superintendent of the Highway District and the Contracts Technician and it has been determined that Suffolk Asphalt Corp. is the lowest responsible bidder in accordance with General Municipal Law Section 103; and

WHEREAS, that based on the recommendation of the Superintendent of the Highway District that the contract should be awarded to Suffolk Asphalt Corp. for 2015 Requirements Contract for Full Depth Reclamation; and

WHEREAS, the commencement of the contract shall be upon receipt of a fully executed contract and shall December 31, 2015, The Town reserves the right to extend the Contract for up to two (2) additional one (1) year terms, if doing so would be in the best interest of the Town; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a contract with Suffolk Asphalt Corp. For the 2015 Requirements Contract for Full Depth Reclamation, this contract shall be prepared by Central Purchasing and Contracts Compliance and per the Town's Comptroller, no purchase order shall be created and no payment shall be made without a fully executed contract; be it

FURTHER RESOLVED, the source of funding for this project shall be Capital Project - Town-wide Road Improvements - GL# C6-99-C613-00-6241-0000 in an amount not to exceed budget.

Financial Impact:

The source of funding for this project shall be Capital Project - Town-wide Road Improvements - GL# C6-99-C613-00-6241-0000 in an amount not to exceed budget.

Ü Vote Record - Town Board Resolution RES-2015-569						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-570

Category: Agreements, Contracts, Leases
Sponsors: Councilwoman Christine Preston Scalera
Department: Central Purchasing and Contracts Compliance

Award and Authorize Supervisor to Sign Contract with Eldor Traffic Signal Consulting Corp. for the Installation of the Bridgehampton Crosswalk

WHEREAS, on March 24, 2015, by Resolution No. 2015-342, the Town Board of the Town of Southampton authorized the Town Clerk to advertise a bid for Installation of Bridgehampton Crosswalk; and

WHEREAS, four (4) bids were received, opened and read aloud on April 15, 2015; and

WHEREAS, the bids were reviewed by the Town Engineer and it has been determined that Eldor Traffic Signal Consulting Corp. for the Installation of the Bridgehampton Crosswalk, is the lowest responsible bidder with the largest number of low prices in accordance with General Municipal Law Section 103; and

WHEREAS, that based on the recommendation of the Town Engineer that the contract should be awarded to Eldor Traffic Signal Consulting Corp. for the Installation of the Bridgehampton Crosswalk in an amount not to exceed \$74,734.00; and

WHEREAS, the Town hereby issues a delay in this contract's commencement in accordance with paragraph 18 of the Instructions to Bidders, this contract shall commence September 14, 2015 and shall expire sixty (60) days thereafter; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a contract with Eldor Traffic Signal Consulting Corp. For the Installation of the Bridgehampton Crosswalk in an amount not to exceed \$74,734.00, this contract shall be prepared by Central Purchasing and Contracts Compliance and per the Town's Comptroller, no purchase order shall be created and no payment shall be made without a fully executed contract; and be it

FURTHER RESOLVED, that the source of funding for this contract shall be Capital Project Bridgehampton Crosswalk G/L #C1-99-C624-00-6247-0000 in an amount not to exceed \$74,734.00.

Financial Impact:

The source of funding for this contract shall be Capital Project Bridgehampton Crosswalk G/L #C1-99-C624-00-6247-0000 in an amount not to exceed \$74,734.00.

Ü Vote Record - Town Board Resolution RES-2015-570						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-571

Category: Agreements, Contracts, Leases
Sponsors: Councilwoman Christine Preston Scalera
Department: Central Purchasing and Contracts Compliance

Award and Authorize Supervisor to Sign Contract with Nadler Mobile, LLC. for Purchase & Installation of Office Trailer

WHEREAS, on March 24, 2015, by Resolution No. 2015-344, the Town Board of the Town of Southampton authorized the Town Clerk to advertise a bid for Purchase & Installation of Office Trailer; and

WHEREAS, two (2) bids were received, opened and read aloud on April 8, 2015 for Purchase & Installation of Office Trailer; and

WHEREAS, the bids were reviewed by Parks & Recreation and Municipal Works and it has been determined that Nadler Mobile, LLC. is the lowest responsible bidder in accordance with General Municipal Law Section 103; and

WHEREAS, that based on the recommendation of Parks & Recreation and Municipal Works that the contract should be awarded to Nadler Mobile, LLC. for the Purchase & Installation of Office Trailer for an amount not to exceed \$46,131.00; and

WHEREAS, the commencement of the contract shall be upon receipt of a fully executed contract and shall expire one (1) year thereafter, the Town shall have the option to renew this contract for four (4) additional, one (1) year terms, if doing so is in the best interest of the Town; now therefore, be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Supervisor to execute a contract with Nadler Mobile, LLC. for the Purchase & Installation of Office Trailer, this contract shall be prepared by Central Purchasing and Contracts Compliance and per the Town's Comptroller, no purchase order shall be created and no payment shall be made without a fully executed contract; and be it

FURTHER RESOLVED, the source of funding shall be Capital Project - Jackson Ave Campus G/L# C1-99-C616-00-6220-0000 in an amount not to exceed \$46,131.00.

Financial Impact:

The source of funding for this project shall be Capital Project - Jackson Ave Campus G/L# C1-99-C616-00-6220-0000 in an amount not to exceed \$46,131.00.

Ü Vote Record - Town Board Resolution RES-2015-571						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-572

Category: Budget & Finance
Sponsors: Supervisor Anna Throne-Holst
Department: Comptroller

Amend 2015 Adopted Budget for the Investigations and Enforcement Unit Equipment

WHEREAS, additional funding is needed in the Investigations & Enforcement Unit to purchase equipment; and

WHEREAS, funding is available to transfer from Restricted Fund Quality of Life Cost Center R327; now therefore be it

RESOLVED, the Town Board of the Town of Southampton hereby amends the 2015 Adopted Budget for the Investigations & Enforcement Unit and authorizes the transfer of \$5,000 from Restricted Fund Quality of Life Cost Center R327 to Investigations & Enforcement Unit Equipment G/L #22-99-3125-22-6423-0000 and the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute.

Financial Impact:

DECREASE Restricted Fund Quality of Life, Cost Center R327 - \$5,000.00

INCREASE Investigations - Small Equipment. G/L #22-99-3125-22-6423-0000 - \$5,000.00

Ü Vote Record - Town Board Resolution RES-2015-572						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-573

Category: Budget & Finance
Sponsors: Throne-Holst, Bender, Fleming, Scalera, Glinka
Department: Comptroller

Amend 2015 Capital Budget for Capital Project Elevation of Dune Road

WHEREAS, the 2015-2019 Capital Program was adopted per Resolution 2014-1197 by the Town Board, as amended, on November 20, 2014; and

WHEREAS, it contains Capital Project HW 12.10 Elevation of Dune Road with a 2015 budget of \$975,000; and

WHEREAS, additional funding is needed to improve roads damaged due to a severe winter season; and

WHEREAS, it is the recommendation of the Town Board of the Town of Southampton to transfer \$600,000 from Capital Project HW 12.10 Elevation of Dune Road to Capital Project HW 15.4 Town-wide Road Improvements; now therefore be it

RESOLVED, the Town Board of the Town of Southampton hereby amends the 2015 Capital Budget for Capital Project HW 12.10 Elevation of Dune Road and transfers \$600,000 to Capital Project HW 15.4 Town-wide Road Improvements; and be it further

RESOLVED, the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute.

Financial Impact:

DECREASE Capital Project HW 12.10 Elevation of Dune Road G/L #C6-99-C321-00-6241-0000 - \$600,000.00

INCREASE Capital Project HW 15.4 Town-wide Road Improvements G/L #C6-99-C613-00-6241-0000 - \$600,000.00

Ü Vote Record - Town Board Resolution RES-2015-573						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-574

Category: Miscellaneous
Sponsors: Councilwoman Bridget Fleming
Department: Town Attorney

Authorize the Designation of the Thomas E. Dunbar residence located at 17 Huntington Lane, Flanders as a Historic Landmark under Southampton Town Code Section 330-321

WHEREAS, the Town Landmarks and Historic Districts Board determined that the Thomas E. Dunbar residence Located at 17 Huntington Lane, Flanders (further identified on the Suffolk County Tax Map as #900-146-1-6) is an important historic resource and recommended that the Town Board approve the designation of the structure as a Southampton Town landmark pursuant to Town Code Section 330-321; and

WHEREAS, on April 23, 2015, the Southampton Town Planning Board adopted a resolution supporting the landmark designation and recommending that the Town Board adopt the proposed landmark designation; and

WHEREAS, a public hearing was held on May 12, 2015 and continued on May 26, 2015 by the Town Board of the Town of Southampton regarding the proposed designation of the structure known as the Thomas E. Dunbar residence located at 17 Huntington Lane, Flanders as a historic landmark; and

WHEREAS, the Town Board found that the Thomas E. Dunbar residence meets the criteria for historic designation pursuant to section 330-321 of the Southampton Town Code; and

WHEREAS, the designation of the Thomas E. Dunbar residence as a landmark is considered a "Type II Action" under 6 NYCRR Part 617.5(c)(32), provisions of the New York State Environmental Quality Review Act (SEQRA) and Chapter 157 of the Town Code, and no further environmental review is necessary; now therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby designates the Thomas E. Dunbar residence located at 17 Huntington Lane, Flanders, as a Town historic landmark pursuant to the provisions of section 330-321 of the Southampton Town Code.

Financial Impact:

None

Ü Vote Record - Town Board Resolution RES-2015-574						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-575

Category: Miscellaneous
Sponsors: Councilman Bradley Bender
Department: Town Attorney

Authorize Payment to the Suffolk County Department of Health Services

WHEREAS, on or about November 17, 2014, the Town of Southampton was issued violations from the Suffolk County Department of Health Services (the "Health Department") as it relates to Town facilities located at the Bridgehampton barn located on Corwith Avenue in Bridgehampton; and

WHEREAS, specifically, these violations addressed tank maintenance issues; and

WHEREAS, since that time, the Highway Department has worked to address these issues; and

WHEREAS, as a result, the Town must pay a fine in satisfaction of Docket No. EE-15-800; now therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes payment to the Suffolk County Department of Health Services in satisfaction of Docket No. EE-15-800 in an amount not to exceed \$2,000; and be it further

RESOLVED, the source of funding for said payment shall be Highway Maintenance - Repair Building G/L 06-99-5110-06-6407-0000.

Financial Impact:

The source of funding for said payment shall be Highway Maintenance - Repair Building G/L 06-99-5110-06-6407-0000, in an amount not to exceed \$2,000.00.

Ü Vote Record - Town Board Resolution RES-2015-575						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-576

Category: Miscellaneous
Sponsors: Supervisor Anna Throne-Holst
Department: Town Attorney

Home Rule Request Resolution In Support of Assembly Bill A. 5393 and Senate Bill S. 3907 As They Relate to Extending the Minimum Retirement Age for Members of the Southampton Town Police Department

WHEREAS, Chapter 1117 of the Laws of 1971 amended Section 384-d of the New York State Retirement and Social Security Law to add a new subsection (m), which is applicable only to the Town of Southampton; and

WHEREAS, specifically, the provision currently provides:

Notwithstanding any inconsistent provisions of law, if the Town Board of the Town of Southampton elects to make the benefits of this section available to the members of its police department, each member of such department shall be separated from service upon completion of twenty years of service, provided, however, that the Town Board may permit a member to continue in service on an annual basis after the completion of twenty years of service, but in no event shall such annual service be continued after a member has attained age fifty-five unless such member has not attained twenty years of service, except however, that members of such department who hold the rank of sergeant or higher within such department may be permitted by the Town Board to remain in service until the member has attained age sixty; and

WHEREAS, by virtue of a court decision interpreting Section 384-d(m) of the Retirement and Social Security Law, it has been determined that Southampton police officers may avoid the mandatory age and separation from service provisions of said statute by switching to the twenty-five year retirement plan, which carries a mandatory retirement age of seventy; and

WHEREAS, the Town Board has found that it is in the public interest to permit the Town to retain certain more experienced police officers without requiring them to switch to the twenty-five year retirement plan; and

WHEREAS, the Town Board reached an agreement with the PBA relating to this matter and,

through resolution 2014-959, requested that the State Legislature amend Section 384-d(m) of the New York State Retirement and Social Security Law to change the mandatory retirement age from fifty-five to sixty, and to delete the reference to the rank of sergeant or higher; and

WHEREAS, Assemblyman Fred Thiele and Senator Kenneth P. LaValle have introduced Assembly Bill A. 5393 and Senate Bill S. 3977, respectively, which seek such amendments to the law; now therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby supports Assembly Bill A. 5393 and Senate Bill S. 3907, as they relate to such extension of the minimum retirement age; and be it further

RESOLVED, that the Supervisor and the Town Clerk are hereby authorized to sign the appropriate number of home rule request forms in support of Assembly Bill A. 5393 and Senate Bill S. 3907, as discussed above; and be it further

RESOLVED, that the Town Clerk shall forward a copy of this resolution to Assemblyman Fred Thiele and Senator Kenneth P. LaValle.

Financial Impact:

None

Ü Vote Record - Town Board Resolution RES-2015-576						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-577

Category: Miscellaneous
Sponsors: Councilwoman Christine Preston Scalera
Department: Town Clerk

Waiver of Fees for the 2015 Jazz for Jennings - Bridgehampton Child Care Center Fundraiser

WHEREAS, the Bridgehampton Child Care and Recreational Center has been approved by the Southampton Town Chief Fire Marshal for a Special Event Permit for the annual Jazz for Jennings fundraiser to be held on June 28, 2015 from 12:00 p.m. to 5:00 p.m. at The Water Mill Center; and

WHEREAS, the Southampton Town Police Department has issued a report dated May 5, 2015 with regards to the a Financial Impact Statement for police services impacting Town Police - Overtime G/L #02-99-3120-02-6101-0000. One Full Time Police Officer will be required to assist vehicular and pedestrian traffic during the event for a total of approximately 6 man hours; and

WHEREAS, the Bridgehampton Child Care and Recreational Center has submitted a request for a waiver for the Police Department cost reimbursement to the Southampton Town

Board, pursuant to 283-3B of the Town Code; and

WHEREAS, the event is open to the public and the admission fee of \$500 is a donation payable directly to the Bridgehampton Child Care and Recreational Center, a local not-for-profit organization, which directly benefits the residents of the Town, to wit, supporting and promoting needed child care and recreational activities for Town residents; now therefore be it

RESOLVED, that the Town Board hereby approves the waiver of the estimated costs as requested by the Bridgehampton Child Care and Recreational Center.

Financial Impact:

The source of funding is Police Department - Overtime G/L #02-99-3120-02-6101-0000 \$540.00 and Fire Marshal G/L #01-99-3410-01-6100-0000 \$57.10 for a total estimated amount of \$597.10.

Ü Vote Record - Town Board Resolution RES-2015-577						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-578

Category: Permits
Sponsors: Councilwoman Fleming, Councilman Bender
Department: Municipal Works

Authorize Waiver of Fees for the Hampton Bays United Methodist Church

WHEREAS, the Hampton Bays United Methodist Church is a not-for-profit organization; and

WHEREAS, a volunteer operated Thrift Shop located on church property has been open since 1967, selling deeply discounted clothes, toys, and small household items to the public, with all proceeds invested back into church services; and

WHEREAS, despite efforts to deter illegal dumping, undesirable items such as old mattresses, couches, appliances, and household garbage are being discarded on the property; and

WHEREAS, the cost of disposing the illegally dumped items impedes the efforts of the Thrift Shop to continue providing affordable goods to those most in need; now therefore be it

RESOLVED, that the Town Board of the Town of Southampton hereby authorizes the Division of Waste Management to waive the Recycling Center fees for the Hampton Bays United Methodist Church through December 31, 2015; and be it further

RESOLVED, that in order to have the fees waived, the Church may only dispose of illegally dumped materials that could not otherwise be disposed of through the Church's regular garbage service; and be it further

RESOLVED, that all materials shall be brought only to the North Sea Transfer Facility so that they can be weighed and tracked for Town record keeping purposes.

Financial Impact:

Waste Management revenue not realized due to waiver of Recycling Center fees estimated at \$300.00.

Ü Vote Record - Town Board Resolution RES-2015-578						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-579

Category: Personnel
Sponsors: Supervisor Anna Throne-Holst
Department: Personnel

2015 Part-Time Salaries

WHEREAS, the Town of Southampton 2015 Final Adopted Budget includes salaries for part-time employees; now, therefore, be it

RESOLVED that the Town Board of the Town of Southampton hereby sets the hourly rate of the following part-time employees effective May 1, 2015 through December 31, 2015:

<u>Name</u>	<u>Title</u>	<u>GL Code</u>	<u>Hourly Rate</u>
Ciara McKeon	Senior Lifeguard	7180	\$14.48
Anthony Lombardi	Program Aide - Pump Out	8189	\$12.33
Robert D'Andrea	Program Aide - Pump Out	8189	\$12.33
Samantha Costello	Traffic Control Officer	3120	\$12.00
Jason Kane-Seitz	Senior Lifeguard	7180	\$14.20
Tobey Kane-Seitz	Lifeguard	7180	\$12.38
Bruno Cavallo	Program Aide - Pump Out	8189	\$12.33
Laura Mailand	Senior Lifeguard	7180	\$13.92
Matthew Davis	Traffic Control Officer	3120	\$12.00
William Cook	Beach Attendant	7180	\$8.75
Kara Rosante	Beach Attendant	7180	\$8.75
Andrea Schiavoni	Beach Attendant	7180	\$9.00
Peter King	Program Aide - Pump Out	8189	\$12.33
Leila Thomas	Lifeguard	7180	\$12.38
Francesco Cupelli	Recreation Aide	7021	\$9.00
Joseph Cupelli	Recreation Aide	7021	\$9.00

Marcelle Gentile	Recreation Aide	7021	\$8.75
Kristie Loper	Recreation Supervisor	7021	\$17.25
Stephanie Taibe	Senior Lifeguard	7180	\$15.35
Erica DeJong	Assistant Chief Lifeguard	7180	\$19.25
Bruce Anderson	Program Aide - Pump Out	8189	\$12.33
Drew Harvey	Lifeguard	7180	\$12.38
Kathy Gristina	Beach Manager	7180	\$16.00
Casey Crowley	Assistant Chief Lifeguard	7180	\$17.82
Alyxandra Tortorice	Assistant Chief Lifeguard	7180	\$16.77
Tia Beck	Senior Lifeguard	7180	\$15.98
Liam Bass	Senior Lifeguard	7180	\$14.20
Thomas Kerr Jr.	Program Aide - Pump Out	8189	\$12.33
Taylor Jones	Lifeguard	7180	\$13.03
Christian Guillemin	Traffic Control Officer	3120	\$12.00
Michael Semkus	Assistant Chief Lifeguard	7180	\$18.52
Mary Sullivan	Senior Lifeguard	7180	\$16.29
Zachary Bass	Senior Lifeguard	7180	\$15.67
Ryan Willmott	Beach Attendant	7180	\$9.00
Denise Equinda	Detention Attendant	3150	\$14.00
Regina DiZinno	Detention Attendant	3150	\$14.00
Tracy Martin	Detention Attendant	3150	\$14.00
Susan Sinclair	Detention Attendant	3150	\$14.00
Carly Mendoza	Senior Lifeguard	7180	\$14.48
Tyler Dyno	Beach Attendant	7180	\$9.00
Jacob Robinson	Beach Attendant	7180	\$9.00
Travis Chornoma	Senior Lifeguard	7180	\$15.98
Brian Slattery	Recreation Aide	7021	\$10.00
Benjamin Rispoli	Assistant Recreation Leader	7021	\$15.00
Frank Prost	Recreation Specialist	7021	\$20.00
Thomas Paganucci	Recreation Aide	7021	\$12.00
Valerie Kechian	Recreation Specialist	7021	\$15.00
Hailey Ciolino	Recreation Aide	7021	\$8.75
Kasia Szafranska	Beach Attendant	7180	\$9.00

Financial Impact:

None, as provided in 2015 Adopted Budget

Ü Vote Record - Town Board Resolution RES-2015-579						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-580

Category: Personnel
Sponsors: Supervisor Anna Throne-Holst
Department: Personnel

Accept Resignation of Shawn Winkle, Food Service Worker in Senior Services

RESOLVED, the Town Board hereby accepts the resignation of Shawn Winkle, Food Service Worker in Senior Services - Nutrition Center, effective at close of business on May 15, 2015; and be it

RESOLVED, the Town Comptroller is authorized to make all budgetary and accounting entries necessary to execute.

Financial Impact:

The total estimated compensable accruals to be paid are \$455.43, plus payroll liabilities.

Ü Vote Record - Town Board Resolution RES-2015-580						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-581

Category: Personnel
Sponsors: Supervisor Throne-Holst, Councilwoman Scalera
Department: Personnel

Authorize Memorandum of Agreement with Southampton Town SOA

WHEREAS, The Town of Southampton and the Superior Officers Association of Southampton Town, Inc. (SOA) are parties to a collective bargaining agreement dated January 27, 2011; and

WHEREAS, The Chief of Police and the SOA are desirous of modifying the work schedule for the period May 15, 2015 through October 31, 2015; now, therefore, be it

RESOLVED, that the Town and the SOA enter into a Memorandum of Agreement stipulating rules and procedures regarding work schedules for the period May 15, 2015 through October 31, 2015.

Financial Impact:

None.

Ü Vote Record - Town Board Resolution RES-2015-581						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-582

Category: Public Hearings
Sponsors: Councilman Stan Glinka
Department: Municipal Works

Notice of Public Hearing to Consider a Regulation Restricting Left Turns from Flying Point Road onto Diamon Court, Water Mill During Certain Times

BE IT HEREBY RESOLVED, that the Town Board hereby directs that a public hearing shall be held on June 9, 2015 at 1:00 p.m. at Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against a local law entitled: "A LOCAL LAW to prohibit left turns from Flying Point Road onto Diamon Court, Water Mill, during certain times," which provides as follows:

LOCAL LAW NO. OF 2015

A LOCAL LAW amending 312-72:1 of the Code of the Town of Southampton to prohibit left turns from Flying Point Road at its intersection with Diamon Court, Water Mill, between 6:00 a.m. - 8:00 a.m. from April 1st to September 30th.

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

SECTION 1. Legislative Intent.

This regulation is proposed to preclude vehicles from using Diamon Court and Mill Farm Lane, Water Mill to 'short cut' vehicles already in queue at the Stop sign located on Seven Ponds Road.

SECTION 2. Amendment.

Chapter 312-72:1 of the Southampton Town Code is hereby amended by deleting the stricken words and adding the underlined words as follows:

No left turns shall be permitted in the following location:

H. From Flying Point Road at its intersection with Diamon Court Monday through Friday, 6:00 a.m. - 8:00 a.m. between April 1st and September 30th, except for school busses.

SECTION 3. Authority.

The Town Board is authorized to establish and promulgate rules and regulations regarding vehicles and traffic control pursuant to New York State Town Law §130 and New York State Vehicle and Traffic Law §1660.

SECTION 4. Severability.

If any section or subsection, paragraph, clause, phrase or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provisions so adjudged to be invalid or unconstitutional.

SECTION 5. Effective Date.

This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Southampton on **June 9, 2015 at 1:00 p.m.** at the Southampton Town Hall, 116 Hampton Road, Southampton, New York to hear any and all persons either for or against "A LOCAL LAW prohibiting left turns from Flying Point Road at its intersection with Diamon Court, in the hamlet of Water Mill, during certain times."

Summary of Proposed Law

This law would prohibit left turns from Flying Pt. Road at its intersection with Diamon Court, Water Mill, Monday through Friday, 6:00 a.m. - 8:00 a.m. between April 1st and September 30th, except for school busses.

Copies of the proposed local law, sponsored by Councilman Glinka are on file in the Town Clerk's Office, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:

None

Ü Vote Record - Town Board Resolution RES-2015-582						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-583

Category: Public Hearings
Sponsors: Councilman Stan Glinka
Department: Town Attorney

Notice of Public Hearing to Prohibit Right Turns at the Intersection of Flying Point Road and Diamon Court, Water Mill Between the Hours of 6:00 a.m. and 8:00 a.m. from April 1st through September 30th

BE IT HEREBY RESOLVED, that the Town Board hereby directs that a public hearing shall be held on June 9, 2015 at 1:00 p.m. at Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against a local law entitled: "A LOCAL LAW to prohibit right turns from Flying Point Road onto Diamon Court, Water Mill at certain times" which provides as follows:

LOCAL LAW NO. OF 2015

A LOCAL LAW amending Chapter 312 (Vehicles and Traffic) Article XV (Turning Movements) of the code of the Town of Southampton is hereby amended by adding a new section 312:72.2 (Right Turns Prohibited) to prohibit right turns from Flying Point Road, Water Mill, at its intersection with Daimon Court between 6:00 a.m.– 8:00 a.m. from April 1st to September 30th.

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

SECTION 1. Legislative Intent.

This regulation is proposed to preclude vehicles from using Diamon Court and Mill Farm Lane, Water Mill to 'short cut' vehicles already in queue at the Stop Sign located on Upper Seven Ponds Road approximately 125' east of Mill Farm Lane.

SECTION 2. Amendment.

Chapter 312 (Vehicles and Traffic) Article XV (Turning Movements) is hereby amended by adding a new section 312:72.2 (Right Turns Prohibited) through deletion of the stricken words and addition of the underlined words as follows:

312:72.2 (Right Turns Prohibited)

- A. At the intersection of Flying Point Road and Diamon Court, right turns from Flying Point shall be prohibited between the hours of 6:00 a.m. - 8:00 a.m. from April 1st through September 30th.

SECTION 3. Authority.

The Town Board is authorized to establish and promulgate rules and regulations regarding vehicles and traffic control pursuant to New York State Town Law §130 and New York State Vehicle and Traffic Law §1660.

SECTION 4. Severability.

If any section or subsection, paragraph, clause, phrase or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provisions so adjudged to be invalid or unconstitutional.

SECTION 5. Effective Date.

This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Southampton on **June 9, 2015 at 1:00 p.m.** at the Southampton Town Hall, 116 Hampton Road, Southampton, New York to hear any and all persons either for or against "A LOCAL LAW prohibiting right turns from Flying Point Road at its intersection with Diamon Court, Water Mill, between the hours of 6:00 a.m. and 8:00 a.m. from April 1st through September 30th."

Summary of Proposed Law

This law would prohibit right turns from Flying Point Road onto Diamon Court between 6:00 a.m. – 8:00 a.m. from April 1st to September 30th.

Copies of the proposed local law, sponsored by Councilman Glinka are on file in the Town Clerk's Office, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:

None

Ü Vote Record - Town Board Resolution RES-2015-583						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-584

Category: Public Hearings
Sponsors: Councilwoman Bridget Fleming
Department: Town Attorney

Notice of Public Hearing to Consider Amendments to Article XXIX of the Town Code to Update and Clarify Provisions as they Relate to the Town's Outdoor Lighting Regulations

BE IT HEREBY RESOLVED, that the Town Board hereby directs that a public hearing shall be held on June 23, 2015, at 6:00 p.m., at the Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against a proposed local law entitled: "A LOCAL LAW amending Article XXIX of the Town Code to update and clarify provisions as they relate to the Town's outdoor lighting regulations" which provides as follows:

LOCAL LAW NO. OF 2015

A LOCAL LAW amending Article XXIX of the Town Code to update and clarify provisions as they relate to the Town's outdoor lighting regulations.

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

Section 1. Legislative Intent

Since the adoption of the Town's Outdoor Lighting Code (Article XXIX) in December 2009, the Dark Skies Advisory Committee has been monitoring both the implementation of the new regulations and developments in the fast-changing lighting industry. As a result, the Committee is proposing some amendments to the Code. Use of LED fixtures for outdoor lighting was in its infancy in 2009 but is now commonplace. Such fixtures emit light with a high blue content that has much greater impact on the environment and human health than the High Pressure Sodium fixtures that previously dominated the field. The original Code frequently required/preferred HPS rather than Metal Halide, an earlier blue-rich technology. A number of the proposed amendments are to establish a consistent maximum Correlated Color Temperature rather than specifying or limiting particular types of lamps.

Also since adoption of Article XXIX, the Illuminating Engineering Society has introduced a new luminaire classification system called BUG (for Backlight, Uplight, and Glare) to replace the previous "cutoff" categories. After careful review, the Committee has decided not to recommend switching Article XXIX to the BUG system because of its complexity and the fact that it has not been universally adopted. (Cutoff classification can still be determined from photometric data submitted by the applicant.) Some additional revisions are proposed to streamline, clarify, and strengthen the Outdoor Lighting Code.

Section 2. Amendment.

Town Code §330-341 (Definitions) is hereby amended by deleting the stricken words and adding the underlined words as follows:

§330-341. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ESSENTIAL LIGHTING Light used for a specified period of time that is necessary for a specific purpose while said purpose is actively being served. This includes lighting that is necessary to promote location identification, public circulation, ~~or public safety,~~ and fully shielded security lighting.

HIGH-PRESSURE SODIUM (HPS) A type of high-intensity discharge lamp that primarily employs sodium. These lamps produce light with a warm ~~e~~Correlated ~~e~~Color ~~t~~Iemperature of approximately 2,700 K and have a ~~e~~Color ~~r~~Rendering ~~i~~Index of around 25.

KELVIN The unit of measurement used to characterize the color of light emitted by a lamp. See also "~~e~~Correlated ~~e~~Color ~~t~~Iemperature."

LAMP ~~The component of the fixture that produces the actual light; a light bulb.~~ A light bulb or other component of a fixture that changes electricity into visible light.

LAMP TYPE The category to which a lamp belongs by virtue of the process by which it produces light. The principal categories are incandescent, fluorescent, low-pressure sodium, high-intensity discharge (HID) (which includes high-pressure sodium, metal halide, and mercury vapor), and LED (light-emitting diode). The categories vary in terms of:

- A. The amount of light output (lumens) per watt consumed;
- B. Lamp life;
- C. The color of the light emitted (~~e~~Correlated ~~e~~Color ~~t~~Iemperature); and
- D. The accuracy with which colors of an illuminated object are reproduced (~~e~~Color ~~r~~Rendering ~~i~~Index).

LED (Light-Emitting Diode) A semiconductor device that emits visible light when electrical current passes through it.

LIGHTING ~~Equipment and effects of lighting produced by artificial means.~~ Man-made illumination or equipment used to produce it.

LOW-PRESSURE SODIUM -- A type of discharge lamp that primarily employs sodium. These lamps have a higher lumen output per watt than HID lamps but low ~~e~~Correlated ~~e~~Color ~~t~~Iemperature.

MERCURY VAPOR A type of high-intensity discharge lamp that uses mercury as the primary light-producing element. Mercury vapor lamps produce light with a cool ~~e~~Correlated ~~e~~Color ~~t~~Iemperature (CCT) from 3,000 to 7,000 K.

METAL HALIDE A type of high-intensity discharge lamp that uses mercury and several halide additives as light-producing elements. Metal halide lamps are typically available with cool ~~e~~Correlated ~~e~~Color ~~t~~Iemperatures (CCT) from 2,300 to 5,400 K and with CRI values from 60 to 93.

MOUNTING HEIGHT ~~On a non-residential property, the~~ vertical distance measured from the average elevation of the existing natural grade or average elevation of the approved grade (if cut/fill activities are proposed) to the lowest light-emitting part of an installed fixture.

OUTDOOR LIGHTING Lighting that provides illumination to a surface, building, structure, device, or other outdoor feature. Any fixture located indoors that is intended to illuminate something ~~any outdoors surface, structure, or other feature~~ is considered outdoor lighting for the purposes of this article.

PHOTOMETRIC(S) or PHOTOMETRY A ~~technical~~ test to determine light distribution and performance of a fixture. A photometric report, which may include candlepower distribution data, cutoff or other light distribution classification, footcandle chart, etc., is generally available from the manufacturer.

Section 3. Amendment

Town Code §330-342 is hereby amended by deleting the stricken words and adding the underlined words as follows:

§330-342. Applicability.

A. New lighting. All outdoor lighting newly installed ~~on residential and non-residential properties~~ after the effective date of this article shall comply with its provisions.

B. Preexisting lighting. All ~~residential and non-residential~~ properties with legally existing and operative outdoor lighting at the effective date of this article shall be exempt from compliance, subject to the provisions below.

(1) Any outdoor lighting fixture that is replaced, changed, repaired, or relocated, in whole or in part, after the effective date of this article shall comply with its provisions.

(2) Non-residential lighting.

(a) Subsequent to the effective date of this article, any addition or expansion (whether single or cumulative) that is made to a non-residential property, whereby lot coverage or floor area is increased by 25% or more, shall subject said non-residential property to the provisions of this article for the entire property, including previously installed and any new outdoor lighting.

(b) Subsequent to the effective date of this article, any addition or expansion (whether single or cumulative) that is made to an existing non-residential property encompassing at least ~~404,000~~ square feet of development (including a commercial center or industrial park) prior to expansion, whereby lot coverage or floor area is increased by ~~40~~25% or more, shall subject said non-residential property to the provisions of this article for the entire property, including previously installed and any new outdoor lighting.

(3) Residential lighting. Subsequent to the effective date of this article, any addition or expansion (whether single or cumulative) that is made to a residential property, whereby lot coverage or floor area is increased by 25% or more, shall subject said residential property to the provisions of this article for the entire property, including previously installed and any new outdoor lighting.

(4) Nuisance lighting. The exemption shall not apply if the Town determines, ~~upon complaint~~, that certain outdoor lighting creates nuisance lighting as defined in §330-341. If the Town determines, ~~upon complaint by an affected neighboring property owner or occupant (including an adjacent neighbor, a neighbor directly across a public right-of-way, directly across a body of water or across a vacant parcel of~~

~~land), that nuisance lighting exists on a property causing loss of enjoyment, comfort, or repose, that lighting shall comply with Subsection B(5) below, in accordance with the procedures outlined in §330-348B. Any resident of the Town who owns or occupies an affected neighboring property may seek relief from nuisance lighting by filing a complaint with the Town. It is encouraged that residents attempt to contact their neighbor maintaining the outdoor lighting and attempt to resolve any such lighting concerns through mediation prior to filing a complaint with the Town.~~

(a) Light trespass shall be considered nuisance lighting when:

[1] Illuminance at or beyond a property line abutting a residential parcel, nature preserve, or waterway exceeds 0.05 footcandle as measurable from any orientation of the measuring device; or

[2] Illuminance at or beyond a property line abutting a non-residential property or public right-of-way exceeds 0.1 footcandle as measurable from any orientation of the measuring device; or

(b) Glare light shall be considered nuisance lighting when a light source is seen from a neighboring property or roadway at sufficient intensity to cause discomfort, annoyance, or impaired visibility.

(5) Abatement of nuisance lighting. If the Town determines nuisance lighting to exist on a property, that lighting shall comply with either Subsection B(5)(a) or (b) below, in accordance with the procedures outlined in §330-348B.

(a) To the extent that the abatement of nuisance lighting will require re-aiming a fixture or re-lamping to reduce lumen output, such lighting shall be re-aimed and/or re-lamped so that the light source is not visible across property lines.

(b) To the extent that the abatement of nuisance lighting will require removing, replacing, shielding, retrofitting, or relocating a fixture, such lighting shall be removed, replaced, shielded, retrofitted, or relocated so that the light source is not visible across property lines.

(6) Hours of operation. Pre-existing lighting on both residential and non-residential properties shall comply with the limits on hours of operation set forth in §330-345E and §330-346E of this Code.

~~(67)~~ All LIPA (or its successors or assigns) leased preexisting nonconforming fixtures (i.e., "dusk to dawn") shall be removed, replaced or retrofitted on or before January 1, 2012. All replacement or retrofitted lighting shall meet the following requirements:

(a) Full-cutoff fixtures and shields shall be installed so that the light source is not visible from any adjacent roadway or any private property other than that on which the lessee is located; and

(b) Light levels shall not exceed the values as specified in Tables 1 and 2;^[1] and

(c) High-pressure sodium lamps shall be used. Correlated Color Temperature of lamps may not exceed 3000 kelvin.

(d) No new light fixture (other than municipal streetlighting) shall be installed on a public utility pole after the effective date of this article.

C. Use. Lighting plans and installations shall continue to be reviewed by the Town based on the use of a property and with due regard to the underlying zoning district as well as potential impacts to existing adjacent uses.

D. Other laws.

(1) In the case where this article is found to be in conflict with another provision of local law, the provision or requirement that is the more restrictive, or that which establishes the higher standard, shall prevail.

(2) Sign lighting. Illumination of signs shall be governed by Article XXII, ~~Signs~~, of this Code (Signs) and any amendments thereto.

(3) Special events. Outdoor lighting for special events shall be governed by Chapter 283 (Special Events) of this Code and any amendments thereto.

E. Other jurisdictions. Federal, state, and county agencies with facilities located within the Town are urged to comply with the provisions of this article except where doing so would conflict with established regulations.

Section 4. Amendment

Town Code §330-343 is hereby amended by deleting the stricken words and adding the underlined words as follows:

§330-343. Exempt and prohibited outdoor lighting.

A. Exempt outdoor lighting. The following are exempt from the provisions of this article:

(1) All temporary emergency lighting determined to be necessary by the Chief of Police, Chief Fire Marshal, Superintendent of Highways, or other firefighting or emergency service providers.

(2) Lighting used in municipal road construction or emergency repair or maintenance of utility lines, sewer, water mains or similar public infrastructure.

(3) Holiday lighting, as defined in § 330-341.

(4) Flag uplighting, provided any such flag is not used for advertising purposes and the light source is not visible across property lines or ~~into~~ from roadways.

(5) Underwater lighting used for swimming pools, provided such lighting meets all relevant electrical codes.

(6) Lighting for radio, communication and navigation towers, provided that the owner or occupant demonstrates to the satisfaction of the Planning Board that the Federal Aviation Administration (FAA) regulations can only be met through the use of lighting that does not comply with this article, and that the provisions of this article are otherwise met to the fullest extent possible. Lighting for any wireless communications facility shall not be permitted unless required by the FAA; in which case, required lighting shall be of the lowest allowed intensity, unless specifically forbidden by the FAA.

(7) Runway lighting on any approved landing strip or runway, provided that the owner or occupant demonstrates that FAA regulations can only be met through the use of lighting that does not comply with this article.

(8) Lighting installed to illuminate public monuments, provided that the light levels do not exceed two footcandles on any light surface monument and do not exceed four footcandles on any dark surface.

(9) Historic-style fixtures that are part of an existing and approved continuous lighting design, where the piecemeal replacement with compliant fixtures would unacceptably degrade the aesthetic characteristics of the overall design. This

exemption shall not be construed to preclude the installation of fixtures complying with this article.

B. Prohibited outdoor lighting. The following outdoor lighting shall not be permitted within the Town as of the effective date of this article, except as exempt above:

- (1) Lamps having ~~€~~Correlated ~~€~~Color ~~€~~Temperature in excess of 3,000 kelvin.
- (2) Lighting used to illuminate a property other than that on which the fixture is located.
- (3) Searchlights, except those used for governmental or emergency purposes.
- (4) Strobe lights and laser lights, including laser light shows and aerial laser lights.
- (5) Neon lights, except as legally permitted.
- (6) Fixtures that revolve or create blinking, flickering, scrolling, rotating, pulsating or tracing light, including on signs, exclusive of exempt holiday lighting.
- (7) Flashing lights, unless temporarily triggered by a security system and extinguished at the time of security response.
- (8) Any type of lighting used to outline all or part of a building (for example, a window, roof, or gable), except for fully recessed soffit lighting that otherwise complies with this article.
- (9) Any light fixture that may be construed as or confused with a traffic signal, traffic control device or maritime navigational markers.
- (10) Lighting that is determined by municipal law enforcement to contribute to a condition of disabling or distracting glare into a public roadway.
- (11) Any light fixture located within or illuminating a designated nature preserve, conservation easement, public beach, or waterway, except as approved by the Town or the applicable agency.
- (12) When visible across property lines, the illumination of vending machines after the close of business.
- (13) "Day burners" or outdoor lighting which is illuminated during daylight hours.
- ~~(14) Metal halide (MH) lamps, with the exception of sports lighting and car dealership display areas in accordance with the provisions of § 330-346 I(5) and (6), unless the Planning Board expressly authorizes their use for another application.~~
- (14~~5~~) Mercury vapor (MV) lamps.

Section 5. Amendment

Town Code §330-345B and §330-345F are hereby amended by deleting the stricken words and adding the underlined words as follows:

§330-345. Residential lighting standards.

All residential and multifamily residential properties shall comply with the following standards. For new construction, the Architectural Review Board may permit minor adjustments to any lighting requirement herein, provided that the proposed outdoor lighting is found to be reasonable, necessary, and consistent with the purposes of this article.

B. Shielding. All outdoor lighting fixtures shall be fully shielded and aimed straight downward, with the following exceptions:

(1) Outdoor lighting fixtures with total light output of 900 lumens or less (60 watts incandescent or less) are exempt from the shielding and aiming requirement above.

(2) Unshielded outdoor lighting fixtures operated by motion sensors are permitted, provided that:

(a) The fixture is set to go on only when activated and to go off within five minutes after activation has ceased; and

(b) The sensor shall not be triggered by activity off the property; and

(c) The output per fixture does not exceed 1,800 lumens (100 watts incandescent).

(3) Unshielded floodlights not exceeding 1,800 lumens per fixture (100 watts incandescent) are permitted, provided they are aimed no higher than 45° and do not cause nuisance lighting, as defined in § 330-341 (See Figure 2.)^[1]

(4) Driveway lighting. Unshielded fixtures installed in or on a pillar or post at the foot of a driveway may not exceed 250 lumens (25 watts incandescent) per pillar/post.

~~F. HID (high-intensity discharge) light fixtures are not permitted for residential use, except for sports lighting pursuant to §330-346 I(6). No light fixture on a residential property (other than sports lighting) shall have a total light output exceeding 2,600 lumens (150 watts incandescent).~~

Section 6. Amendment

Town Code §§330-346 A and F are hereby amended by deleting the stricken words and adding the underlined words as follows:

§330-346. Non-residential lighting standards. Properties with non-residential lighting, as defined in §330-341, shall comply with the following standards. The Town Planning and Development Administrator or Planning Board may permit minor adjustments to any lighting requirement herein, provided that the proposed outdoor lighting is found to be reasonable, necessary, and consistent with the purposes of this article.

A. Nuisance prevention. Outdoor lighting on non-residential properties shall be designed and installed so that all light ~~which~~ that is emitted by any outdoor light fixture shall not shine on or illuminate any neighboring property. No outdoor lighting shall be maintained or operated ~~from any structure~~ in such a manner so as to be nuisance lighting, as defined in §330-341.

F. Lamp types. Any lamp type except Mercury Vapor may be used as long as the lamp's Correlated Color Temperature does not exceed 3000 kelvin.

~~(1) High-pressure sodium, compact fluorescent, LED, or low-pressure sodium lamps shall be used for all fixtures to be lamped greater than 1,800 lumens.~~

~~(2) Mercury vapor (MV) lamps are prohibited.~~

~~(3) Metal halide (MH) lamps shall be limited to sports lighting and car dealership display areas in accordance with the provisions of § 330-3461(5) and (6), unless the Planning Board expressly authorizes their use for another application.~~

Section 7. Amendment

Town Code §330-3461(5) and (6) are hereby amended by deleting the stricken words and adding the underlined words as follows:

I. Additional lighting requirements for specific applications. In addition to §330-346A through H, the following requirements shall apply to the specific lighting applications below:

(5) Car dealerships.

(a) All fixtures shall be full-cut-off and shall not cause glare or light trespass onto adjoining properties or into roadways.

(b) Light levels for display areas shall not exceed those in Table 5.^[6] Parking lot and other areas shall conform to the requirements of §330-3461(1).

~~(c) Any permitted lamp type not exceeding 3,000 kelvin may be used in display areas only.~~

(6) Sports lighting. ~~A combination of high-pressure sodium, metal halide, and light sources may be used for enhanced visibility and color rendering. For all lighting intended to illuminate sports fields or courts and where the nighttime activity is authorized:~~

(a) Fixtures shall be full-cut-off as designed and installed. Where full-cut-off fixtures are not available, light fixtures with auxiliary shielding may be used provided that in the final installed configuration: (a) the shielding extends to within three (3) inches of the lowest part of the light fixture opening; and (b) the field-side edge of the shielding is no more than three (3) inches above a horizontal line running through the lowest part of the light fixture opening (Figures 4a and 4b). The fixtures shall be installed and maintained with aiming angles that permit no more than one percent (1%) of the light emitted by each fixture to project above the horizontal. , with the exception of fields located on municipal property which may employ fixtures that emit up to 2% of the light above the lowest light-emitting part of the fixture.

(b) Light sources shall not exceed 3000 kelvin. On non-residential properties a combination of lamps with higher (cooler) and lower (warmer) Correlated Color Temperatures (CCT) may be used as long as the lumen-weighted average CCT does not exceed 3000 kelvin (Lumen-weighted average CCT = (kelvin degrees of warmer lamps x total lumens of such lamps) + (kelvin degrees of cooler lamps x total lumens of such lamps) ÷ total project lumens).

(c) Sports lighting shall meet the following height and setback requirements:

[1] Residential properties: The mounting height shall be no greater than 1/4 the distance to the property line and shall not exceed 18 feet.

[2] Non-residential properties: no height restriction.

(d) Sports lighting shall not exceed the following light trespass limits:

[1] Residential properties: at any point on the property line: 0.05 footcandles.

[2] Non-residential properties: at any point on the property line when adjacent to residential properties: 0.1 footcandle; otherwise: 1.0 footcandle.

(e) Sports lighting shall not exceed the illumination levels appropriate for the amount of spectator seating. Facilities with 500 or fewer fixed spectator seats may not exceed illuminance levels specified for Class IV facilities in IES RP-6, "Recommended Practice for Sports and Recreational Area Lighting." Larger facilities may not exceed illuminance levels recommended for these other Classes:

501-1,499 fixed spectator seats—Class III

1,500-4,999 fixed spectator seats—Class II
5,000 or more fixed spectator seats—Class I

(f) Certification. The design and installation of every sports lighting system shall be certified by a registered engineer, architect, or landscape architect as conforming to requirements a-e above.

(eg) Sports lighting shall not be turned on if there is no scheduled play and shall be shut off within one hour after closing to the public. Lower light level off-field lighting may be provided for safe egress.

~~(d) Light levels shall not exceed the appropriate level of spectator/play (default Level IV) for the activity and as specified in IES RP-6, Sports and Recreational Area Lighting.~~

~~Light sources shall not exceed 3,000 kelvin for residential and 5,000 kelvin for nonresidential sports lighting.~~

Section 8. Amendment

Town Code §330-347D is hereby amended by deleting the stricken words and adding the underlined words as follows:

§330-347. Procedures.

D. The following items shall accompany a lighting plan submission for review and approval by the Planning Board:

(1) A site plan complete with all existing and proposed structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), vegetation that might interfere with lighting, indicating with shading or highlighting all areas where pedestrians shall be walking or where pedestrians may come in conflict with vehicles.

(2) A detailed lighting plan shall be submitted for review and approval for sites that will have a total lumen output of 4,000 or greater. Said plan shall indicate:

(a) Footcandle measurements on a grid of the site showing readings in every five-foot square. The grid shall include the location and installed height of each existing and proposed fixture (i.e., pole-mounted lights, wall-mounted lights, and lighting, including streetlights), and the overall light levels, in footcandles, on the entire site.

(b) The grid shall extend at least 20 feet beyond the site property lines, indicating the zoning of all adjacent properties to assure compliance with light trespass requirements.

(c) Photometric plans shall be prepared by the fixture manufacturer or a licensed professional, architect, landscape architect, or engineer and shall provide calculation of average maintained footcandles, maximum and minimum footcandle readings, and the average-to-minimum and the maximum-to-minimum uniformity ratios.

(3) A description of each light fixture as depicted and identified on the site plan, including the manufacturer, model number, a photograph of the fixture and a manufacturer's catalog cut-sheet, detailed IES formatted photometric data, a description of the cutoff characteristics of each fixture, light output, in initial lumens, and lamp type, and Correlated Color Temperature verifying any compliance requirements specified within this article.

(4) Mounting height indicated with the distance to the nearest property line for each proposed and existing fixture, including pole foundation description.

(5) Shielding or glare reduction devices and all mounting details.

(6) Types of timing devices or motion sensor devices used to control the fixtures and schedule of the proposed hours when each fixture will be operated.

(7) Total outdoor lamp lumens for all fixtures on the property, calculated at initial lumen output.

(8) A summary key table identifying the maximum, minimum, and average light levels in footcandles as well as uniformity ratios for all parking areas and walkways.

E. When considering a site plan application, the Planning Board may require the use of motion sensor devices to control lighting for illumination of a building entrance, recreation areas, parking areas, accessways or other such areas.

F. A post-installation inspection shall be conducted by a qualified lighting designer to verify compliance with the approved plan. The applicant shall submit a certification to the Planning Board verifying that such inspection was performed and that the installed system operates and is in conformance with the approved plan along with a manufacturer's cut-sheet/certification for the installed fixtures prior to the issuance of a certificate of occupancy or other Town approval.

G. The Town shall have the right to conduct a post-installation inspection on any property with an approved lighting plan to verify compliance with the requirements of this article and, if appropriate, to require remedial action at the expense of the applicant.

Section 9. Amendment

Town Code §330-348 is hereby amended by deleting the stricken words and adding the underlined words as follows:

§330-348. Prohibited acts; penalties for offenses.

A. It shall be unlawful for any person, firm, owner, tenant, person in possession, partnership, corporation or other business entity (hereinafter "person and/or business entity") to install, alter, repair, move, equip, use or maintain or allow such installation of any outdoor lighting in violation of any of the provisions of this article, or to fail in any manner to comply with a notice, directive or order of the Chief Building Inspector or designee, or Code Enforcement Officer.

B. If, after investigation, the Chief Building Inspector, or designee, or the Code Enforcement Officer finds that any provision of this article is being violated or nuisance lighting exists, notice shall be given by hand delivery or by certified mail, return receipt requested, of such violation to the owner and/or to the occupant of such premises, instructing that the violation or nuisance lighting must be abated within the time specified in the notice or, in absence thereof, within 30 days of the date of hand delivery or of the date of mailing of the notice. If the violation is not abated within said period, the Chief Building Inspector, or designee, or the Code Enforcement Officer may institute actions and proceedings, either legal or equitable, to enjoin, restrain or abate any violations of this article.

C. Residential. Any person and/or business entity, ~~firm, owner, tenant, person in possession, partnership, corporation or other business entity~~ who violates this article, or any provision thereof, shall be guilty of a violation punishable by a civil penalty not to exceed \$250 for residential violations after the expiration of the abatement period provided in Subsection B, and each day shall constitute a separate offense for the purpose of calculating the civil penalty; any person and/or business entity, ~~firm, owner, tenant, person in possession, partnership, corporation or other business entity~~ who violates this article after

being convicted of a violation of this article within the preceding year shall be guilty of a violation punishable by a fine not to exceed \$500 or imprisonment for a period not to exceed 15 days, or both; any person and/or business entity , ~~firm, owner, tenant, person in possession, partnership, corporation or other business entity~~ who violates this article after being convicted of a violation of this article two or more times within the preceding three-year period shall be guilty of a misdemeanor punishable by a fine not to exceed \$1,000 and/or imprisonment for a period not to exceed 30 days.

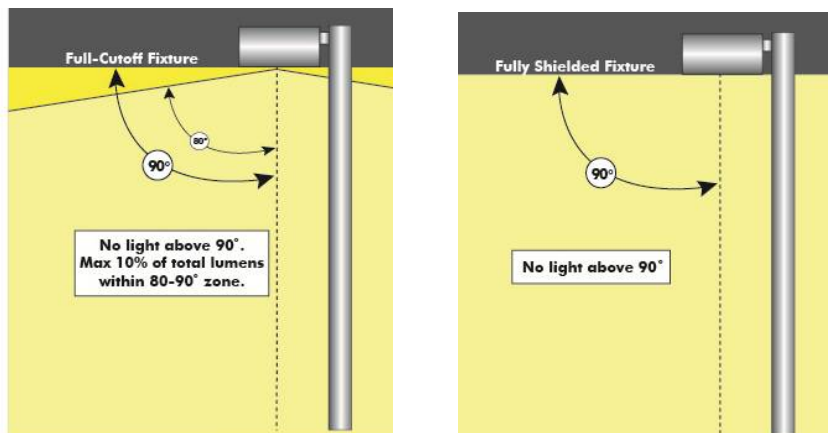
D. Non-residential. Any person and/or business entity , ~~firm, owner, tenant, person in possession, partnership, corporation or other business entity~~ who violates this article, or any provision thereof, shall be guilty of a violation punishable by a civil penalty not to exceed \$500 for non-residential violations after the expiration of the abatement period provided in Subsection B, and each day shall constitute a separate offense for the purpose of calculating the civil penalty; any person and/or business entity , ~~firm, owner, tenant, person in possession, partnership, corporation or other business entity~~ who violates this article after being convicted of a violation of this article within the preceding year shall be guilty of a violation punishable by a fine not to exceed \$1,000 or imprisonment for a period not to exceed 15 days, or both; any person and/or business entity , ~~firm, owner, tenant, person in possession, partnership, corporation or other business entity~~ who violates this article after being convicted of a violation of this article two or more times within the preceding three-year period shall be guilty of a misdemeanor punishable by a fine not to exceed \$3,000 and/or imprisonment for a period not to exceed 30 days.

§330-349. through §330-359. (Reserved)

Section 10. Amendment

Figure 1 of Town Code §330-Attachment 11 is hereby amended by replacing the figures with the following:

Figure 1



Section 11. Amendment

Figure 4 will be replaced with the following and will become Figure 5.

Figure 4a

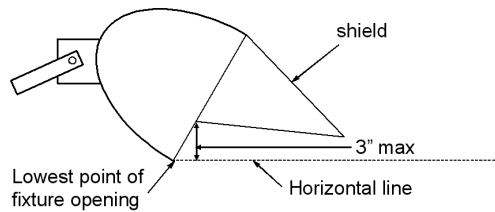
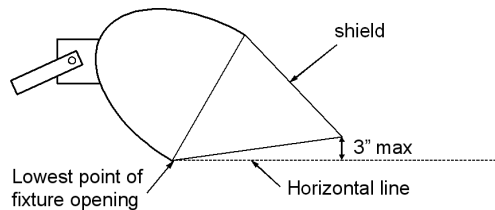


Figure 4b

~~Figure 4.~~ **Figure 5.**

The following figures illustrate examples of acceptable and unacceptable types of outdoor lighting fixtures. Note that even those types of fixtures shown as “acceptable” must be installed and aimed properly to comply with this Article. These figures are provided as guidelines and serve only as examples.

Section 12. Authority.

This amendment is enacted pursuant to New York State Town Law §274-a and §274-b, and Municipal Home Rule Law §10.

Section 13. Severability.

If any section or subdivision, paragraph, clause, phrase of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 14. Effective Date.

This local law shall take effect upon filing with the Secretary of State pursuant to the Municipal Home Rule Law.

AND BE IT RESOLVED, that the Town Clerk is hereby directed to forward a copy of the proposed law to the Southampton Town Planning Board as well as the Suffolk County Planning Commission for their review and recommendations; and be it further

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish the following Notice of Public Hearing in the Newsday Suffolk Edition:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held on **June 23, 2015, at 6:00 p.m.**,

at the Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against a proposed local law entitled: "A LOCAL LAW amending Article XXIX of the Town Code to update and clarify provisions as they relate to the Town's outdoor lighting regulations."

SUMMARY OF LOCAL LAW

The proposed amendment updates and clarifies various provisions of the Town Code as they relate the regulations on outdoor lighting.

Copies of the proposed local law sponsored by Councilwoman Bridget Fleming are on file in the Town Clerk's Office, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:

None.

Ü Vote Record - Town Board Resolution RES-2015-584						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-585

Category: Public Hearings
Sponsors: Councilwoman Scalera, Councilman Bender
Department: Town Attorney

Notice of Public Hearing to Consider Amendments to Southampton Town Code Section 330-5 (Definitions) and Section 330-109 (Fences, walls, accessory driveway structures, and clotheslines) in connection with Public Gardens and Public Garden Fencing

BE IT HEREBY RESOLVED, that the Town Board hereby directs that a public hearing shall be held on June 23, 2015 at 6:00 p.m., at the Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against a proposed local law entitled: "A LOCAL LAW amending Town Code §330-5 (Definitions) and Town Code §330-109 (Fences, walls, accessory driveway structures, and clotheslines) in connection with Public Gardens and Fencing" which provides as follows:

LOCAL LAW NO. OF 2015

A LOCAL LAW amending Town Code §330-5 (Definitions) and Town Code §330-109 (Fences, walls, accessory driveway structures, and clotheslines) in connection with public gardens and fencing.

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

Section 1. Legislative Intent.

The Town Code currently does not permit eight foot deer fences within the Town of Southampton absent either: (i) a variance from the Zoning Board of Appeals or (ii) approval from the Town of Southampton Planning Board for residential properties located within an Agricultural Overlay District. Since the Town Board finds that the promotion and preservation of public gardens is essential to the community, this amendment would define "public garden" and empower the Planning Board to increase the height of deer fencing on properties boasting public gardens in all zoning districts so long as they are operated by philanthropic, nonprofit, governmental, or educational organizations.

Section 2. Amendment.

Town Code §330-5 (Definitions) is hereby amended by adding the underlined words in alphabetical order as follows:

As used in this article, the following terms shall have the meanings indicated:

§330-5. Definitions

PUBLIC GARDEN - A garden designed for educational purposes with scientifically ordered and maintained collections of plants, usually documented and labeled, and open to the public for purposes, including but not limited to, agricultural practices, scientific research, conservation, display and education. A public garden shall be operated by a philanthropic, nonprofit, or governmental organization; or affiliated with an educational institution.

Section 3. Amendment.

Town Code §330-109 (Fences, walls, accessory structures, and clotheslines) is hereby amended by adding the underlined words as follows:

§330-109. Fences, walls, accessory driveway structures, and clotheslines.F. Public Garden Fencing.

(1) Within all Zoning Districts, the Planning Board may approve an increase in the permitted height of a fence located in any yard in order to protect subject gardens from damage due to deer, subject to the following:

- (a) The maximum height of the fence may not exceed eight feet.
- (b) Visibility (open space) must be provided through said fence equaling a minimum of 40% of the total area of the proposed fence.
- (c) The subject public garden meets the definition pursuant to section 330-5.
- (d) The fence shall be located landward of any existing buffer area or transition yard required pursuant to §330-83G, but in no case less than 20 feet from any public right-of-way.
- (e) The installation of the fencing will be accomplished in a manner to preserve and protect the visual and scenic resources of the Town, which may include appropriate ornamental planting or natural buffer provided in order to screen the subject fence from the public right-of-way.

(2) An application for public garden fencing shall be submitted to the Planning Board and shall included a landscape plan as may be necessary to illustrate compliance with §330-109F(1) above.

SECTION 4. Authority.

The proposed local law is enacted pursuant to Town Law §264 and §265 and Municipal Home Rule Law §10(1)(ii)(a)(12) and §10(1)(ii)(a)(14).

SECTION 5. Severability.

If any section or subsection, paragraph, clause, phrase or provision of this law shall be judged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

SECTION 6. Effective Date.

This Local Law shall take effect upon filing in the Secretary of State pursuant to Municipal Home Rule Law.

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of the proposed law to the Southampton Town Planning Board as well as the Suffolk County Planning Commission for their review and recommendations; and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized to publish the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Southampton hereby directs that a public hearing shall be held on **June 23, 2015 at 6:00 p.m.**, at Southampton Town Hall, 116 Hampton Road, Southampton, New York, to hear any and all persons either for or against a local law entitled: "A Local Law amending Town Code §330-5 (Definitions) and Town Code §330-109 (Fences, walls, accessory driveway structures, and clotheslines) in connection with Public Garden Fencing."

Summary of Proposed Law

This amendment to Section 330-5 (Definitions) of the Town Code and Section 330-109 (Fences, walls, accessory driveway structures, and clotheslines) adds a definition for "Public Garden" and authorizes the Town Planning Board to increase the height of deer fencing for public gardens in all zoning districts.

Copies of the proposed local law, sponsored by Councilwoman Christine Scalera, are on file in the Town Clerk's Office, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:

None.

Ü Vote Record - Town Board Resolution RES-2015-585						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

Town Board Resolution 2015-586

Category: Real Estate & Easements
Sponsors: Councilwoman Christine Preston Scalera
Department: Town Attorney

Resolution Accepting a Grant of Open Space in Connection with the Subdivision Map of Oakland Farms II, Quogue

BE IT HEREBY RESOLVED, that, after a public hearing held on May 12, 2015 at 1:00 p.m., at Southampton Town Hall, 116 Hampton Road, Southampton, New York, the Town Board ACCEPTS the open space deed of dedication for an open space area totaling approximately 79,000 square feet, located in Quogue, in connection with the Subdivision Map of Oakland Farms II, approved by the Town of Southampton Planning Board by resolution adopted September 11, 2014, pursuant to Section 247 of the General Municipal Law of the State of New York, and the Supervisor is authorized to execute any required documents on behalf of the Town.

Financial Impact:

None

Ü Vote Record - Town Board Resolution RES-2015-586						
		Yes/Aye	No/Nay	Abstain	Absent	
.. Adopted	Anna Throne-Holst	..	..	..	..
.. Adopted as Amended	Bradley Bender	..	..	..	..
.. Defeated	Christine Preston Scalera	..	..	..	..
.. Tabled	Bridget Fleming	..	..	..	..
.. Withdrawn	Stan Glinka	..	..	..	..
.. Failed To Move						

VII. Closing